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			EXAMINER	
			MACILWINEN, JOHN MOORE JAIN	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/692,097

**Applicant(s)**

VASCHILLO ET AL.

**Examiner**

JOHN M. MACILWINEN

**Art Unit**

2442

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 October 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-7,9,10,12-16,18-32,34-36,44,45 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9,10,12-16,18-32,34-36,44,45 and 48-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 7/27/2010
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments filed 10/01/2010 have been fully considered.

2. On page 23, Applicant asserts that the cited prior art

"fails to teach or suggest:

...

an act of making the message item compatible with the plurality of different message protocols, including for each different message protocol in the plurality of different message protocols....

an act of assigning values to at least one general property that is common between two different messaging extensions."

Applicant's arguments here and on the first half of page 24 fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

3. Applicant argues on page 24 that the claims have also been amended to address any issues under 35 USC 112, second paragraph. Though Applicant's claims no longer recite the language regarding "simultaneously", which was addressed in the Final Rejection mailed 05/25/2010, Applicants now claim a message that is "natively compatible". Applicant's Specification, however, lacks support for such language. This issue is addressed in further detail below.

***Claim Objections***

4. Claim 1 is objected to because of the following informalities -

Lines 4 – 5 recites:

“and natively compatible **a with a...**” (emphasis added).

5. Claim 15 is objected to because of the following informalities -

Line 3 recites:

“comprises **on** act of retrieving...” (emphasis added).

Appropriate correction is required.

***Specification***

6. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter for the reasons given below in the 35 USC 112 written description rejection. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

***Claim Rejections - 35 USC § 112***

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claims 1 and 44 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed,

had possession of the claimed invention. Said claims recite a message item that is "natively compatible" with a plurality of different message protocols and applications.

**9.** Claims 6 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Said claim recite a message item has an "attaching an NNTP protocol extension ... while the POP3 protocol extension **also remains attached...**" (emphasis added).

**10.** Claims 1, 4, 5, 6, 7, 9, 10, 12, 15 and 45 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Each of said claims references "attaching" data from a schema to the message item.

For example, claim 1 recites, on pg. 2:

"attaching protocol specific data fields from at least one protocol specific extension schema"

and claim 1 continues on pg. 3 to recite:

"attaching application specific data fields from at least one application specific extension".

Claim 4 twice recites:

"attaching at least one protocol specific message extension".

Claim 5 recites:

"attaching at least one application specific extension" and

"attaching a POP3 protocol extension".

Claim 6 recites:

"attaching at least one application specific extension" and

"attaching an NNTP protocol extension" and

"while the POP3 extension also remains attached".

Claim 7 recites:

"attaching at least one protocol specific extension" and

"attaching a community news protocol extension".

Claim 9 recites:

"attaching at least one application specific extension" and

"attaching at least one application extension".

Claim 10 recites:

"attaching at least one application extension" and

"attaching a Microsoft.RTM. Outlook.RTM. Express application extension".

Claim 12 recites:

"an act of retrieving at least one value from one or more data fields  
attached to the message".

Claim 15 recites:

"other data fields attached to the message".

Claim 44 recites, on pg. 18:

"attach protocol specific data fields"

and continues on pg. 19 to recite:

"attach application specific data fields".

Applicant's Specification does discuss the concept of messages having attachments as well as attachments having an "attachment schema" associated with said attachment. Said "attachment schema" is discussed in [56] on page 30 as a schema which describes a messages attachment, rather than what Applicant's claim language appears to recite, which corresponds instead to a schema attached to a message. Paragraphs [52-55] on pages 22 – 29, which immediately precedes the above discussed "attachment schema" discuss other types of schema, including a "contact schema", a "folder schema", etc. To compare [52-55] to [56], [52-55] of Applicant's Specification supports said schema describing, for example, a "folder" but does not support, for example, a schema being a "folder" just as [56] supports a schema that describes an "attachment" but does not support a schema being an "attachment" or being "attached".

That is to say that no recitation is made regarding "attaching a schema" or "attaching data fields" (or other equivalent language) to a message.

Rather, Applicant's Specification recites that such items are "assigned" to a message, which is supported by Applicant's Specification and corresponds to the language utilized in the original claims.

**11.** The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**12.** Claims 1, 5, 6, 9 and 44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

**13.** Regarding claims 1 and 44, said claims recite a message item that is "natively compatible" with a plurality of different message protocols and applications. It is unclear the scope Applicant intends to claim with the language "natively compatible"; said lack of clarity is exacerbated by the lack of written description in Applicant's Specification for said subject matter.

Claims 1 and 44 further recite storing and accessing messages "with increased efficiency". The precise meets and bounds of said claim language is unclear as it is not clear what Applicant intends to use as a gauge or baseline measurement/criteria to determine when precisely efficiency would reach the point of being considered "increased".

**14.** Regarding claim 5, lines 1 - 2 recite

"wherein the act of attaching at least one **application** specific **extension**"  
but the claim then concludes by transitioning to discussing a  
"**protocol extension**" (emphasis added).

**15.** Regarding claim 6, lines 1 - 2 recite

"wherein the act of attaching at least one **application** specific **extension**"  
but the claim then concludes by transitioning to discussing various types of  
"**protocol extension[s]**" (emphasis added).



- 16.** Regarding claim 9, line 1 recites that the claim is further defining  
“attaching at least **one** application specific extension schema” and  
lines 6 - 7 state that it is directed to defining  
“attaching at least **one** application extension to the message item”.  
However, lines 7 – 8 continue to recite  
“the at least **one more** application extension...” (emphasis added).
- 17.** In order to perform a complete examination, the above claims have been  
interpreted broadly.

***Claim Rejections - 35 USC § 102***

- 18.** The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that  
form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in  
public use or on sale in this country, more than one year prior to the date of application for patent in  
the United States.

- 19.** Claims 1, 3 – 7, 9, 18 – 22 and 44 are rejected under 35 U.S.C. 102(b) as being  
anticipated by Guck (5,794,039), hereafter Guck1 (where 5,911,776, hereafter Guck2  
and 5,848,415, hereafter Guck3, are each incorporated by reference into Guck1).
- 20.** Regarding claim 1, Guck shows a computer system that is network connectable  
along with one or more other computer systems to a network, the computer system  
including a processor and system memory, a method for formulating an electronic  
message that is natively compatible with a plurality of different message protocols  
(Guck1, col. 1 lines 30 – 38, col. 5 lines 38 – 42, col. 6 lines 54 - 58) and natively

compatible with a plurality of different messaging applications (*Guck1*, col. 6 lines 58 - 60, col. 7 line 1, col. 7 lines 60 - 65, col. 9 lines 25 - 30) and can be stored and accessed with increased efficiency (*Guck1*, col. 1 lines 55 - 67, col. 6 lines 3 - 15, col. 6 lines 41 - 43 and *Guck2*, col. 15 lines 39 - 46), the method comprising:

an act of the processor creating a message item representing the electronic message in accordance with a message schema (*Guck2*, col. 14 lines 14 - 35, col. 15 lines 14 - 28), the message item having one or more general properties common to the plurality of different message protocols and common to the plurality of different message applications (*Guck1*, col. 10 lines 48 - 50, col. 7 lines 60 - 61), the message item creation including:

an act of assigning a primary type to the message item, the primary type indicating a primary behavior of a plurality of content portions linked to the message item (*Guck2*, col. 15 lines 27 - 45, col. 14 lines 16 - 16);

an act of making the message item compatible with the plurality of different message protocols, including for each different message protocol in the plurality of different message protocols (*Guck1*, col. 6 lines 42 - 58, *Guck3*, col. 4 lines 35 - 44, col. 6 lines 20 - 34, col. 8 lines 2 - 13):

an act of attaching protocol specific data fields from at least one protocol specific extension schema to the message item (*Guck1*, col. 5 lines 49 - 52, col. 10 lines 55 - 67, col. 9 lines 47 - 57) to make the plurality of linked content portions compatible with the message protocol, each protocol specific extension accounting

for any properties that are not common between the plurality of different message protocols (*Guck3*, col. 10 lines 11 - 25); and

an act of assigning values to the protocol specific data fields (*Guck1*, col. 9 line 65 – col. 10 line 4, *Guck2*, col. 15 lines 63 – 65, *Guck3*, col. 8 lines 52 - 55);

an act of making the message item compatible with the plurality of different message applications, including for each different message application in the plurality of different message applications (*Guck1*, col. 9 lines 30 – 35, col. 10 lines 48 - 50);

an act of attaching application specific data fields from at least one application specific extension to the message item to make the plurality of linked content portions compatible with the message application, each application specific extension schema accounting for properties that are not common between the plurality of different message applications (*Guck2*, col. 2 lines 39 - 65, col. 11 line 65 - col. 12 line 5, col. 15 lines 45 - 67),

an act of assigning values to properties of the at least one application specific extensions (*Guck1*, col. 9 lines 28 – 48, *Guck2*, col. 7 lines 14 – 27, col. 13 lines 55 - 61, col. 15 lines 6s 65); and

an act of assigning values to at least one general property that is common between two different messaging extensions (*Guck2*, col. 7 lines 58 – 62, col. 10 lines 48 - 50).

**21.** Regarding claim 3, Guck further shows wherein the act of assigning a primary type to the created message item comprises an act of assigning a primary type to the created message item, the primary type being selected from among electronic mail message, instant message, fax message, voice message, news group posting (*Guck1, col. 10 lines 48 - 49*).

**22.** Regarding claim 4, Guck further shows wherein the act of attaching at least one protocol specific message extension to the message item comprises an act of attaching at least one protocol specific extension to the message item, the at least one protocol specific message extension being selected from among: among electronic mail protocol extensions, instant messaging protocol extensions, fax protocol extensions, voice message protocol extensions and, news group posting protocol extensions (*Guck1, col. 9 lines 47 – 58, Guck3, col. 12 lines 32 - 44*).

**23.** Regarding claim 5, Guck further shows wherein the act of attaching at least one application specific extension to the message item comprises an act of attaching a POP3 protocol extension to the message item, the POP3 protocol extension from an electronic mail POP3 extension schema (*Guck3, col. 6 lines 20 – 35, col. 9 lines 3 - 35, Fig. 1 item 56*).

**24.** Regarding claim 6, Guck further shows wherein the act of attaching at least one application specific extension to the message item comprises an act of attaching an NNTP protocol extension from the electronic mail NNTP extension schema to the message item (*Guck1, col. 9 lines 50 – 59, col. 10 line 63 – col. 11 line 4 and col. 14*

*lines 38 – 40, Guck3 col. 9 lines 1 - 5), while the POP3 protocol extension also remains attached to the message item (Guck2, col. 5 lines 7 – 10 and col. 10 lines 10 - 17).*

**25.** Regarding claim 7, Guck further shows wherein the act of attaching at least one protocol specific extension to the message item comprises an act of (*Guck1, col. 5 lines 49 – 52, col. 9 lines 47 – 57, col. 10 lines 55 – 67 and Guck3, col. 10 lines 11 - 25*) attaching a community news protocol extension to the message item, the community news protocol extension from an electronic mail community news extension schema (*Guck1, col. 9 lines 50 - 59, col. 10 line 63 – col. 11 line 4, col. 14 lines 38 – 40, Guck3, col. 9 lines 1- 5*).

**26.** Regarding claim 9, Guck further shows wherein the act of attaching at least one application specific extension to the message item comprises an act of attaching at least one application extension to the message item, the at least one more application extension being selected from among: electronic mail application extensions, instant messaging application extensions, fax application extensions, voice message application extensions, and news group posting application extensions (*Guck2, col. 15 lines 14 - 67, Guck3, col. 5 lines 5 - 10*).

**27.** Regarding claim 18, Guck further shows wherein the act of creating a message item representing an electronic message comprises an act of creating a message item including:

a general properties field representing common electronic message properties that are common to a plurality of different types of message protocols and a plurality of different types of message applications (*Guck1, col. 7 lines 58 – 61, col. 10 lines 48 -*

50); and

at least one protocol specific property field, the at least one protocol specific property field representing one or more protocol specific message properties that correspond to a specific message protocol, the specific message protocol being selecting from among the plurality of different types of message protocols that have the common electronic message properties represented in the general properties field in common (*Guck2*, col. 14 lines 15 - 27).

**28.** Regarding claim 19, Guck further shows wherein the at least one protocol specific property field comprises:

a protocol specific property field representing one or more protocol specific message properties that correspond to one of an electronic mail protocol, an instant messaging protocol, a fax protocol, a voice message protocol, or a news group protocol (*Guck1*, col. 9 lines 20 - 35).

**29.** Regarding claim 20, Guck further shows wherein the act of creating a message item further comprises an act of creating a message item including:

at least one application specific property field, the at least one application specific property field representing one or more application specific electronic message properties that correspond to a specific message application, the specific message application being selecting from among the plurality of different types of message applications that have the common electronic message properties represented in the general properties field in common (*Guck1*, col. 9 lines 20 – 35, *Guck2*, col. 14 lines 15 – 25, col. 15 lines 50 – 55).

**30.** Regarding claim 21, Guck further shows wherein the act of creating a message item representing an electronic message comprises an act of creating a data structure an comprising including:

a general properties field representing common electronic message properties that are common to a plurality of different types of message protocols and a plurality of different types of message applications (*Guck1, col. 9 lines 20 – 35, Guck2, col. 14 lines 15 – 25, col. 15 lines 50 – 55*); and

at least one application specific property field, the at least one application specific property field representing one or more application specific electronic message properties that correspond to a specific message application, the specific message application being selecting from among the plurality of different types of message applications that have the common electronic message properties represented in the general properties field in common (*Guck1, col. 9 lines 20 – 35, Guck2, col. 14 lines 15 – 25, col. 15 lines 50 – 55*).

**31.** Regarding claim 22, Guck further shows wherein the at least one application specific property field comprises:

an application specific property field representing one or more application specific message properties that correspond to one of an electronic mail application, an instant messaging application, a fax application, a voice message application, or a news group application (*Guck2, col. 15 lines 34 - 35, col. 15 lines 40 - 55*).

**32.** Regarding claim 44, Guck shows a computer program product for use in a computer system that is network connectable along with one or more other computer

systems to a network, the computer program product for implementing a method for formulating an electronic message that is natively compatible with a plurality of different message protocols (*Guck1, col. 1 lines 30 – 38, col. 5 lines 38 – 42, col. 6 lines 54 - 58*) and natively compatible a with a plurality of different messaging applications (*Guck1, col. 6 lines 58 -60, col. 7 line 1, col. 7 lines 60 - 65, col. 9 lines 25 - 30*) and can be stored and accessed with increased efficiency (*Guck1, col. 1 lines 55 – 67, col. 6 lines 3 – 15, col. 6 lines 41 – 43 and Guck2, col. 15 lines 39 - 46*), the computer program product comprising one or more computer storage devices having stored thereon computer executable instructions that, when executed by a processor, cause the computer to perform the following (*Guck2, col. 2 lines 20 – 32, col. 2 line 67 – col. 3 line 10, col. 6 lines 42 - 48*):

create a message item representing the electronic message in accordance with a message schema (*Guck2, col. 14 lines 14 – 35, col. 15 lines 14 - 28*), the message item having one or more general properties common to the plurality of different message protocols and common to the plurality of different message applications (*Guck1, col. 10 lines 48 - 50, col. 7 lines 60 - 61*), the message item creation including:

assign a primary type to the message item, the primary type indicating a primary behavior of a plurality of content portions linked to the message item (*Guck2, col. 15 lines 27 – 45, col. 14 lines 16 - 16*);

make the message item compatible with the plurality of different message protocols, including for each different message protocol in the plurality of different message protocols (*Guck1, col. 6 lines 42 – 58,*



*Guck3, col. 4 lines 35 – 44, col. 6 lines 20 – 34, col. 8 lines 2 - 13):*

attach protocol specific data fields from at least  
one protocol specific extension schema to the message item  
(*Guck1, col. 5 lines 49 – 52, col. 10 lines 55 – 67, col. 9 lines 47 -  
57*) to make the plurality of linked content portions compatible with  
the message protocol, each protocol specific extension accounting  
for any properties that are not common between the plurality of  
different message protocols (*Guck3, col. 10 lines 11 - 25*); and  
assign values to the protocol specific data fields  
(*Guck1, col. 9 line 65 – col. 10 line 4, Guck2, col. 15 lines 63 – 65,  
Guck3, col. 8 lines 52 - 55*);

make the message item compatible with the  
plurality of different message applications, including for each  
different message application in the plurality of different message  
applications (*Guck1, col. 9 lines 30 – 35, col. 10 lines 48 - 50*);

attach application specific data fields from at  
least one application specific extension to the message item to  
make the plurality of linked content portions compatible with the  
message application, each application specific extension schema  
accounting for properties that are not common between the plurality  
of different message applications (*Guck2, col. 2 lines 39 - 65, col.  
11 line 65 - col. 12 line 5, col. 15 lines 45 - 67*),

assign values to properties of the at least one application specific extensions (*Guck1, col. 9 lines 28 – 48, Guck2, col. 7 lines 14 – 27, col. 13 lines 55 - 61, col. 15 lines 6s 65*); and an act of assigning values to at least one general property that is common between two different messaging extensions (*Guck2, col. 7 lines 58 – 62, col. 10 lines 48 - 50*).

***Claim Rejections - 35 USC § 103***

**33.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**34.** Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of Outlook (Outlook Express EML, Computing.net, December 2002).

**35.** Regarding claim 10, Guck shows claim 9.

Guck does not show wherein the act of assigning at least one application extension to the message item comprises an act of attaching a Microsoft.RTM. Outlook.RTM. Express application extension to the message item.

Outlook shows assigning at least one application extension to the message item comprises an act of attaching a Microsoft.RTM. Outlook.RTM. Express application extension to the message item (*pgs. 1 – 5*).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the disclosure of Guck with that of Outlook in order to support a commonly utilized messaging format (*Outlook*, *pgs. 1 – 5*).

**36.** Claims 23, 24, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of Luzeski (US 6,404,762 B1), Lee (US 6,212,553 B1) and Kennedy (6,134,582).

**37.** Regarding claim 23, Guck shows claim 1.

Guck does not show all of: one or more computer-readable media having stored thereon a data structure for representing an electronic message, the data structure comprising:

an ID field representing an identifier that identifies the electronic message within an message database;

a primary type field representing a primary message type of the electronic message identified by the identifier represented in the ID field, the primary message type implying a behavior of the electronic message;

at least one MessageParticipant relationship field representing links to one or more message participants associated with the electronic message identified by the identifier represented in the ID field;

at least one MessageContents relationship field representing links to one or more portions of message content corresponding to the electronic message electronic message identified by the identifier represented in the ID field.

Luzeski shows one or more computer-readable media having stored thereon a

data structure for representing an electronic message, the data structure comprising:

- an ID field representing an identifier that identifies the electronic message within an message database (*col. 15 lines 60 – 61 and col. 16 lines 18 - 20*);

- a primary type field representing a primary message type of the electronic message identified by the identifier represented in the ID field, the primary message type implying a behavior of the electronic message (*col. 15 lines 25 – 31 and col. 16 line 5*);

- at least one MessageParticipant relationship field representing links to one or more message participants associated with the electronic message identified by the identifier represented in the ID field (*col. 15 lines 65 – 66 and col. 16 line 9*);

- at least one MessageContents relationship field representing links to one or more portions of message content corresponding to the electronic message electronic message identified by the identifier represented in the ID field (*col. 16 line 10 and col. 16 lines 64 – 68*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck with that of Luzeski in order to provide for a simplified messaging environment (*Luzeski, col. 4 lines 40 – 50*).

Guck in view of Luzeski do not show at least one sent message folder relationship field representing links to one or more message folders the electronic message identified by the identifier represented in the ID field is to be moved to after being submitted for delivery; and

- a download state field representing a download state of the electronic message

identified by the identifier represented in the ID field.

Lee shows at least one sent message folder relationship field representing links to one or more message folders the electronic message identified by the identifier represented in the ID field is to be moved to after being submitted for delivery (*col. 32 lines 50 – 65*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view of Luzeski with that of Lee in order to ensure that a users sent messages are properly organized and stored.

Guck in view of Luzeski and Lee do not show a download state field representing a download state of the electronic message identified by the identifier represented in the ID field.

Kennedy shows a download state field representing a download state of the electronic message identified by the identifier represented in the ID field (*Abstract*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view of Luzeski and Lee with that of Kennedy in order to better track a messages retrieval status.

**38.** Regarding claim 24, Guck in view of Luzeski, Lee and Kennedy further show message status field representing the status of the electronic message identified by the identifier represented in the ID field (*Lee, Fig. 11*).

**39.** Regarding claim 34, Guck shows claim 3.

Guck does not show all of: a primary type field defining a format for representing a primary message type corresponding to an electronic message, the primary message

type implying a behavior of the electronic message,

a participants relationship field defining a format for representing links to message participants, the message participants being associated with the electronic message having a primary message type defined in accordance with the primary message type format in the primary type field,

a contents relationship field defining a format for representing links to one or more portions of message content, the one or more portions of message content corresponding to the electronic message electronic message having a primary message type defined in accordance with the primary message type format in the primary type field.

Luzeski shows a primary type field defining a format for representing a primary message type corresponding to an electronic message, the primary message type implying a behavior of the electronic message (col. 15 lines 25 - 31 and col. 16 line 5)

a participants relationship field defining a format for representing links to message participants, the message participants being associated with the electronic message having a primary message type defined in accordance with the primary message type format in the primary type field (*col. 15 lines 65 - 66 and col. 16 line 9*)

a contents relationship field defining a format for representing links to one or more portions of message content, the one or more portions of message content corresponding to the electronic message electronic message having a primary message type defined in accordance with the primary message type format in the primary type field (*col. 16 line 10 and col. 16 lines 64 – 68*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck with that of Luzeski in order to provide for a simplified messaging environment (*Luzeski, col. 4 lines 40 – 50*).

Guck in view of Luzeski do not show at least one sent message folder relationship field representing links to one or more message folders the electronic message identified by the identifier represented in the ID field is to be moved to after being submitted for delivery; and

a download state field representing a download state of the electronic message identified by the identifier represented in the ID field.

Lee shows at least one sent message folder relationship field representing links to one or more message folders the electronic message identified by the identifier represented in the ID field is to be moved to after being submitted for delivery (*col. 32 lines 50 – 65*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view of Luzeski with that of Lee in order to ensure that a users sent messages are properly organized and stored.

Guck in view of Luzeski and Lee do not show a download state field representing a download state of the electronic message identified by the identifier represented in the ID field.

Kennedy shows a download state field representing a download state of the electronic message identified by the identifier represented in the ID field (Abstract).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the disclosure of Guck in view of Luzeski and Lee with that of Kennedy in order to better track a messages retrieval status.

**40.** Regarding claim 35, Guck in view of Luzeski, Lee and Kennedy further show a message status field defining a format for representing the status of the electronic message having a primary message type defined in accordance with the primary message type format in the primary type field, the message schema including or referring to a message status schema that defines the format for representing the status of the electronic message (*Lee, Fig. 11*).

**41.** Claims 25 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of Luzeski, Lee and Kennedy, further in view of Almond (6,112,024) .

**42.** Regarding claim 25, Guck in view of Luzeski Lee and Kennedy show claim 24, including wherein the message status field is comprised of:

an IsRead field representing an indication of whether or not the electronic message in identified by the identifier represented in the ID field has been marked as read (*Lee, Figs. 11 and 14*); and

a SendStatus field representing an indication of the send status of the electronic message identified by the identifier represented in the ID field (*Lee, Fig. 11 and col. 32 lines 50 – 55*).

Guck in view of Luzeski, Lee and Kennedy do not show a LastActionTaken field representing an indication of the last action that was taken on the electronic message identified by the identifier represented in the ID field;



a LastActionTime field representing the time that the last action indicated in the LastActionTaken field was taken;

a LastActionType field representing the type of that last action taken on the electronic message identified by the identifier represented in the ID field.

Almond shows a LastActionTaken field representing an indication of the last action that was taken on the electronic message identified by the identifier represented in the ID field;

a LastActionTime field representing the time that the last action indicated in the LastActionTaken field was taken;

a LastActionType field representing the type of that last action taken on the electronic message identified by the identifier represented in the ID field (*Fig. 7C*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view Luzeski, Lee and Kennedy with that of Almond in order to better manage document changes, enabling additional document management options (*Almond, Abstract, cols. 1 – 2*).

**43.** Regarding claim 36, Guck in view of Luzeski Lee and Kennedy show claim 35, including wherein the message status field is comprised of:

an IsRead field representing an indication of whether or not the electronic message in identified by the identifier represented in the ID field has been marked as read (Lee, Figs. 11 and 14); and

a SendStatus field representing an indication of the send status of the electronic message identified by the identifier represented in the ID field (*Lee, Fig. 11 and col. 32*

*lines 50 – 55).*

Guck in view of Luzeski, Lee and Kennedy do not show a LastActionTaken field representing an indication of the last action that was taken on the electronic message identified by the identifier represented in the ID field;

a LastActionTime field representing the time that the last action indicated in the LastActionTaken field was taken;

a LastActionType field representing the type of that last action taken on the electronic message identified by the identifier represented in the ID field.

Almond shows a LastActionTaken field representing an indication of the last action that was taken on the electronic message identified by the identifier represented in the ID field;

a LastActionTime field representing the time that the last action indicated in the LastActionTaken field was taken;

a LastActionType field representing the type of that last action taken on the electronic message identified by the identifier represented in the ID field (*Fig. 7C*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view Luzeski, Lee and Kennedy with that of Almond in order to better manage document changes, enabling additional document management options (*Almond, Abstract, cols. 1 – 2*).

**44.** Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of RFC 2046 (MIME Part Two: Media Types, November 1996).

**45.** Regarding claim 26, Guck shows one or more computer-readable media having stored thereon a data structure representing a portion of message content, the data structure comprising:

an electronic message relationship field representing a link to an electronic message, the link indicating that the portion of message content is associated with an electronic message (*Guck1*, col. 7 lines 8 – 30, col. 9 lines 20 – 47 and col. 12 lines 18 – 67); and

a content type field representing a content type corresponding to the portion of message content (*Guck2*, col. 16 lines 12 – 25).

Guck does not show an order field representing an order value, the order value indicating how the portion of message content is to be ordered with respect to other portions of message content that are also associated with the electronic message; and

a content properties field representing additional properties of the content type represented in the content type field.

RFC 2046 shows an order field representing an order value, the order value indicating how the portion of message content is to be ordered with respect to other portions of message content that are also associated with the electronic message; and

a content properties field representing additional properties of the content type represented in the content type field (5.2.2.2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck with that of RFC 2046 in order to utilize a

well-known established and standardized protocol as well as to follow the practices encouraged by Guck (*Guck2*, col. 2 lines 60 – 66).

**46.** Regarding claim 27, Guck in view of RFC 2046 further show wherein the content properties field comprises: an attachment type field representing an attachment type of the portion of message content (*RFC 2046*, 5.2.2.2).

**47.** Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of RFC 2046 as applied to claims 26 and 37 above, further in view of RFC 2017 (Definition of the URL MIME External-Body Access-Type, October 1996).

**48.** Regarding claim 28, Guck in view of RFC 2046 show claim 26.

Guck in view of RFC 2046 do not show a MIME URL field representing a link to a MIME path that corresponds to the portion of message content.

RFC 2017 shows a MIME URL field representing a link to a MIME path that corresponds to the portion of message content (*pgs. 1 – 4*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view of RFC 2046 with that of RFC 2017 in order to utilize a well-known established and standardized protocol.

**49.** Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of Chao (US 2004/0128355 A1).

**50.** Regarding claim 29, Guck shows one or more computer-readable media having stored thereon a data structure for representing a message attachment, the data

structure comprising:

an electronic message relationship field representing a link to a message item, the link indicating that the message attachment is associated with the message item (*Guck1*, col. 7 lines 8 – 30, col. 9 lines 20 – 47 and col. 12 lines 18 - 67);

a type field representing a message type of the electronic message linked to by the link represented in the electronic message link field, the message type implying a behavior of the electronic message (*Guck2*, col. 14 lines 15 – 25 and col. 15 lines 50 - 55);

and an attachment state field representing the type and behavior of the message attachment (*Guck2*, col. 16 lines 12 – 25).

Guck does not show an IsPinned field representing the deletion status of the message attachment with respect to the electronic message linked to by the link represented in the electronic message link field; and

an IsTrusted field representing trust information related to the message attachment.

Chao shows an IsPinned field representing the deletion status of the message attachment with respect to the electronic message linked to by the link represented in the electronic message link field ([29]) and

an IsTrusted field representing trust information related to the message attachment ([12, 40-43] and Fig. 6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck with that of Chao in order to better manage

and classify messages (*Chao*, [11]).

**51.** Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of Chao as applied to claims 29 and 40 above, and further in view of RFC 2017.

**52.** Regarding claim 30, Guck in view of Chao show claim 29.

Guck in view of Chao do not show an attachment source relationship field representing a link to a database item where the message attachment was accessed.

RFC 2017 shows an attachment source relationship field representing a link to a database item where the message attachment was accessed (*pg. 1*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view of Chao with that of RFC 2017 in order to utilize a well-known established and standardized protocol.

**53.** Regarding claim 31, Guck in view of Chao and RFC 2017 further show a saved from relationship field representing a link to the message attachment (*RFC 2017, pg. 1*).

**54.** Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of NNTP (S. Barber, January 2002).

**55.** Regarding claim 32, Guck shows one or more computer-readable media having stored thereon a data structure representing a community news folder, the data structure comprising:

a communities last refresh field representing the last time the community

dynamic properties of the news group community including the collection of synchronized article IDs represented in the community range field was refreshed (*Guck1, col. 16 lines 8 – 12 and col. 8 lines 35 – 60*).

Guck does not show a community range field representing a collection of article ID ranges from a news group community that have been synchronized with community header properties;

a low article ID field representing a low article ID included the a collection of synchronized article ID ranges represented in the community range field; and

a high article ID field representing a high article ID included the a collection of synchronized article ID ranges represented in the community range field.

NNTP shows a community range field representing a collection of article ID ranges from a news group community that have been synchronized with community header properties (*9.5.1.1*);

a low article ID field representing a low article ID included the a collection of synchronized article ID ranges represented in the community range field (*9.1.1.1*); and

a high article ID field representing a high article ID included the a collection of synchronized article ID ranges represented in the community range field (*9.1.1.1*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck with that of NNTP in order to utilize a standard protocol for the purpose for which it was designed (that is, use Network News Protocol to process and manage network news).

**56.** Claims 12 – 16, 45, 48 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of Lewis (US 2003/0109271 A1).

**57.** Regarding claim 12, Guck shows an act of supplementing the message item with additional data to make the message item further compatible with at least one additional message protocol or additional message application, including (*Guck1, Fig. 5E item 113, col. 2 lines 30 - 35, col. 9 lines 25 - 32, Guck2, col. 4 lines 17 - 30, col. 14 lines 15 - 65, col. 15 lines 64 - 65*):

an act of, subsequent to message creation, accessing the message item (*Guck1, col. 7 lines 59 – 61, col. 9 line 51 – col. 10 line 5*);

and act of the processor snapping on data fields from a further message extension schema to the message item (*Guck1, col. 9 lines 20 – 35, Fig. 3C items 53 - 57*), the data fields in the further message extension schema having one or more new properties that are to be associated with the message item to facilitate compatibility with the additional message protocol (*Guck1, col. 10 line 50 – col. 11 line 4, Guck2, col. 13 lines 61 – 63, col. 14 lines 23 - 35*);

an act assigning properties such that the message item is compatible with the additional message protocol or additional message application such that the message item contains data making it compatible with the plurality of different message protocols, the plurality of different message applications and the additional message protocol or additional message application (*Guck1 col. 6 lines 54 – 58, Guck2, col. 4 lines 14 – 38, col. 7 lines 45 – 54, Guck3 lines 35 - 44*).

Guck does not explicitly show all of: an act of retrieving at least one value from



one or more other data fields attached to the message; and

an act of assigning the retrieved at least one value to at least one of the snapped on data fields to make the message item compatible with the additional message protocol or the additional message application.

Lewis shows an act of retrieving at least one value from one or more other data fields attached to the message; and

an act of assigning the retrieved at least one value to at least one of the snapped on data fields to make the message item compatible with the additional message protocol or the additional message application (*[123-127, 139, 161-166]*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck with that of Lewis in order to improve message storage and retrieval to better handle the wide variety of formats commonly encountered by users (*Lewis, [10]*).

**58.** Regarding claim 13, Guck in view of Lewis further show wherein the act of accessing the message item comprises an act of accessing a message item representing the electronic message, the message item having the one or more general properties that are common to the plurality of different message protocols and the plurality of different message applications (*Guck1, Fig. 3C, col. 7 lines 59 - 61, col. 10 lines 48 - 50, Guck2, col. 10 lines 48 - 49*).

**59.** Regarding claim 14, Guck in view of Lewis further show wherein the act of snapping on data fields defined in a further message extension schema to the message item assigning a new message extension to the message item comprises an act of

snapping on data fields from a further message extension schema, the new-further message extension schema being selected from among electronic mail protocol extension schemas, instant messaging protocol extension schemas, fax protocol extension schemas, voice message protocol extension schemas and, news group posting protocol extension schemas, electronic mail application extension schemas, instant messaging application extension schemas, fax application extension schemas, voice message application extension schemas, and news group posting application extension schemas (*Guck1, col. 5 lines 1 – 25*).

**60.** Regarding claim 15, Guck in view of Lewis further show wherein an act of retrieving at least one value from other data fields attached to the message comprises on act of retrieving values from one or more data fields of a message item that represents one of an electronic mail message, a fax message, an instant message, a voice message, or a news group posting (*Guck2, col. 15 lines 14 – 35 and Guck3 col. 8 lines 2 – 13*).

**61.** Regarding claim 16, Guck in view of Lewis further show wherein the act of assigning the retrieved at least one value to at least one of the snapped on data fields new specific properties comprises an act of assigning a value retrieved from one-of-a data field defined in one of an electronic mail message extension schema, a fax message extension schema, an instant message extension schema, a voice message extension schema, or a news group posting extension schema, to a snapped on data field defined in one of an electronic mail message extension schema, a fax message extension schema, an instant message extension schema, a voice message extension

schema, or an assigned news group posting extension schema (Guck2, col. 14 line 15 – col. 15 line 67).

**62.** Regarding claim 45, Guck shows computer executable instructions that, when executed, cause the computer system to perform (Guck2, col. 2 lines 20 – 32, col. 2 line 67 – col. 3 line 10, col. 6 lines 42 - 48) the following:

subsequent to message creation, accessing the message item (Guck1, col. 7 lines 59 – 61, col. 9 line 51 – col. 10 line 5);

snap on data fields from a further message extension schema to the message item (Guck1, col. 9 lines 20 – 35, Fig. 3C items 53 - 57), the data fields in the further message extension schema having one or more new properties that are to be associated with the message item to facilitate compatibility with the additional message protocol (Guck1, col. 10 line 50 – col. 11 line 4, Guck2, col. 13 lines 61 – 63, col. 14 lines 23 - 35);

an act assigning properties such that the message item is compatible with the additional message protocol or additional message application such that the message item contains data making it compatible with the plurality of different message protocols, the plurality of different message applications and the additional message protocol or additional message application (Guck1 col. 6 lines 54 – 58, Guck2, col. 4 lines 14 – 38, col. 7 lines 45 – 54, Guck3 lines 35 - 44).

Guck does not explicitly show all of: an act of retrieving at least one value from one or more other data fields attached to the message; and

an act of assigning the retrieved at least one value to at least one of the snapped

on data fields to make the message item compatible with the additional message protocol or the additional message application.

Lewis shows an act of retrieving at least one value from one or more other data fields attached to the message; and

an act of assigning the retrieved at least one value to at least one of the snapped on data fields to make the message item compatible with the additional message protocol or the additional message application (*[123-127, 139, 161-166]*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck with that of Lewis in order to improve message storage and retrieval to better handle the wide variety of formats commonly encountered by users (*Lewis, [10]*).

**63.** Regarding claim 48, Guck in view of Lewis further show wherein the act of snapping on fields from a further message extension schema to the message item comprise act of (*Guck2, col. 7 lines 14 – 42*) snapping on (*Guck2, col. 14 lines 23 - 25*) fields from an instant message (*Guck2, col. 15 lines 5 – 10, Guck1, col. 9 lines 1- 30*) application extension schema to a message item that is currently compatible with an electronic mail message application (*Guck2, col. 15 lines 50 – 65*); and

wherein the act of assigning the retrieved at least one value to at least one of the snapped on data fields to make the message item compatible with the additional message protocol or the additional message application comprises an act of (*Guck2, col. 7 lines 14 - 42*) assigning the retrieved value to least one data field snapped on from the instant message application extension schema to make the message item

compatible with both an instant message application and the electronic mail message application (*Guck2*, col. 15 lines 27 – 45).

**64.** Regarding claim 50, Guck in view of Lewis further show wherein the act of snapping on fields from a further message extension schema to the message item comprise act of (*Guck2*, col. 7 lines 14 - 42) snapping on fields (*Guck2*, col. 14 lines 15 - 25) from one of: a fax protocol schema and a voice message protocol schema to a message item that is currently compatible with an electronic mail message protocol (*Guck2*, col. 14 lines 15 – 26, col. 15 lines 50 - 65); and

wherein the act of assigning the retrieved at least one value to at least one of the snapped on data fields to make the message item compatible with the additional message protocol (*Guck2*, col. 7 lines 14 – 42) or the additional message application comprises an act of assigning the retrieved value to least one data field snapped (*Guck2*, col. 14 lines 15 - 26) on from the one of the fax protocol schema and the voice message protocol schema to make the message item compatible with the electronic mail protocol and one of a fax application and a voice message application corresponding to the fax protocol schema and the voice message protocol schema respectively (*Guck2*, col. 7 lines 37 – 42, col. 8 lines 10 - 35, col. 15 lines 50 – 65).

**65.** Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of Lewis and Yost (6,260,050 B1).

**66.** Regarding claim 49, Guck in view of Lewis show claim 12, including wherein the act of snapping on fields from a further message extension schema to the message

item comprise act of (*Guck2, col. 7 lines 14 - 42*) snapping on fields (*Guck2, col. 14 lines 23 - 25*) from an electronic mail message application schema as well as a message item that is currently compatible with first electronic mail message application (*Guck2, col. 15 lines 50 – 65 and Fig. 1 item 30*); and

wherein the act of assigning the retrieved at least one value to at least one of the snapped on data fields to make the message item compatible with the additional message protocol or the additional message application comprises an act of assigning the retrieved value to least one data field snapped on from the electronic mail message application extension schema (*Guck2, col. 7 lines 14 - 42*).

Guck in view of Lewis do not explicitly show all of: compatibility with both a second electronic mail message application and a first electronic mail message application.

Yost shows show compatibility with both a second electronic mail message application and a first electronic mail message application (*col. 4 lines 1 – 15, col. 6 lines 27 – 32*).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Guck in view of Lewis with that of Yost in order to readily adapt output forms to any type of electronic device, further improving and broadening compatibility (*Yost, col. 3 lines 58 – 67*).

***Conclusion***

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US 2002/0133568 A1	SMITH	09-2002
US 2004/0205731 A1	JUNKERMAN	10-2004

Smith shows a method for managing multiple types of message applications and message protocols through the use of a common-underlying format (XML).

Junkerman also shows managing multiple message protocols utilizing by XML, including extracting message parameters based on message input and inserting message parameters and message data based on the desired message output.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. MacIlwain whose telephone number is (571) 272-9686. The examiner can normally be reached on M-F 7:30AM - 5:00PM EST; off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess, can be reached on (571) 272 - 3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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John MacIlwain  
(571) 272 - 9686

/KEVIN BATES/  
Primary Examiner, Art Unit 2456